

**Notice of Allowability**

Application No.

10/052,489

Examiner

Victor MacArthur

Applicant(s)

HASHIMOTO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 02/09/2004.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☒ The drawings filed on 23 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Allowable Subject Matter*

Claims 1 and 2 are allowed. The following is an examiner's statement of reasons for allowance:

Claim 1. JP04124520 discloses (figs. 1-3) a shift lever bush (5, 9) mounted between a shaft portion (20) formed in one of a pair of axially two-piece-divided shift lever members (19, 22) and a cylindrical portion (lower portion of 22) formed in the other of said pair of shift lever members, said shift lever bush comprising: an inner cylindrical body (2) mounted to said shaft portion of said one shift lever member by external interfit, an outer cylindrical body (4) disposed substantially coaxially with a cylinder axis of said inner cylindrical body so as to surround an outer peripheral surface of said inner cylindrical body, and mounted to said cylindrical portion of said other shift lever member by internal interfit, and a rubber elastic body (5), fixedly attached to said outer peripheral surface of said inner cylindrical body, for connecting together said inner and outer cylindrical bodies, wherein said rubber elastic body includes an interfit fixing portion (portion of 5 in contact with 2 and 4 in fig. 1) which is fixed to an inner peripheral surface of said outer cylindrical body by internal interfit and at least one projecting portion (8 as seen in fig. 2) which becomes radially convex from said inner cylindrical body toward said outer cylindrical body are formed, said interfit fixing portion and said projecting portion being provided at different positions in the cylinder axis direction, and wherein said outer cylindrical body includes a recessed portion (7), which becomes concave correspondingly to the shape of said projecting portion with a clearance of a given amount left between said recessed portion and said projecting portion, is provided at a position of said inner peripheral surface of said outer cylindrical body corresponding to the position of said projecting portion. JP04124520 does not

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disclose that the projecting portion and the recessed portion are engaged with each other when the inner cylindrical body and the outer cylindrical body relatively rotate about the cylinder axis or are relatively displaced in a radial direction.

Troendly U.S. Patent 1636262 discloses (figs.1 and 2) a projecting portion (18) and a recessed portion (between 17) that are engaged with each other when an inner cylindrical body (23) and an outer cylindrical body (16) relatively rotate about the cylinder axis such that torque and continuous rotation are transferred between bodies. However, it appears that modifying JP04124520 in view of Troendly would destroy JP04124520 since the Troendly shifter could not perform its intended function in continuous rotation. Therefore, it would not have been obvious to one with ordinary skill in the art at the time the invention was made to combine the prior art in such a manner as to arrive at the applicant's invention.

Claim 2 depends from claim 1 and is similarly allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (703) 305-5701. The examiner can normally be reached on 8:30am - 5:00pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (703) 308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



**Anthony Knight**  
**Supervisory Patent Examiner**  
**Group 3600**



VLM  
March 25, 2004

**Lynne H. Browne**  
**Supervisory Patent Examiner**  
**Technology Center 3600**